

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**FIRST APPEAL No. 2176 of 1993****For Approval and Signature:****HONOURABLE MR.JUSTICE KS JHAVERI**

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MINOR DHARMIBEN THANAJI MENA THRO'GUARDIAN THANAJI K MENA
- Appellant(s)
Versus
PREMSHANKER DAMODARDAS & 1 - Defendant(s)

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Appearance :

MR CJ VIN for Appellant(s) : 1,
NOTICE SERVED for Defendant(s) : 1,
MR RAJNI H MEHTA for Defendant(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI**Date : 17/08/2006****ORAL JUDGMENT**

1. This appeal is directed against the judgement and award dated 22nd January 1993 passed by the Motor accident Claim Tribunal IV (Main), Ahmedabad in Motor accident Claim Petition No.347 of 1988 whereby the Tribunal has awarded a sum of Rs.9000/- along with interest at the rate of 12% per annum.

2. The case of the claimant was that when the minor Dharmiben was going with her mother, a scooter bearing No.GUD/9568 came from opposite side and knocked down them as a result of which minor Dharmiben received serious injuries. The claimant has therefore filed

the claim petition claiming compensation in the sum of Rs.25000/-.

3. Learned Advocate for the appellant has submitted that the Tribunal has committed an error in awarding lesser amounts under various heads.

4. As a result of hearing and perusal of the record it is found that the Tribunal has considered all the aspects of the matter and awarded a sum of Rs.5000/- under the head of pain, shock and suffering and Rs.2000/- towards expenses for medicines, transportation, etc. The Tribunal has also awarded a sum of Rs.2000/- towards special diet. No documentary evidence was produced in respect of income of the minor Dharmiben except affidavits of her father and mother and the Tribunal has not awarded any amount on that count. Learned Advocate for the appellant is not able to point out anything on record to award higher amount on any count.

5. In the result, I do not find any merits in the appeal and the same is accordingly dismissed. No order as to costs.

[K.S. JHAVERI, J.]

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